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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/077,891	02/20/2002	Hiroteru Tsuchiya	016907-1374	3110	
22428	7590 05/30/2006		EXAMINER		
FOLEY AND LARDNER LLP			BRINICH, STEPHEN M		
SUITE 500 3000 K STRE	ET NW		ART UNIT	PAPER NUMBER	
WASHINGTON, DC 20007		2625			
			DATE MAILED: 05/30/2006		

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION		ATTORNEY DOCKET NO.	
			EXAMINER		
			ART UNIT	PAPER	
				20060518	
			DATE MAILEI) :	

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Commissioner for Patents

	Application No.	Applicant(s)				
	10/077,891	TSUCHIYA, HIROTERU				
Office Action Summary	Examiner	Art Unit	·			
	Stephen M. Brinich	2625				
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence ad	dress			
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period w - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION (6) In no event, however, may a reply be time till apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	I. nely filed the mailing date of this cool (35 U.S.C. § 133).				
Status						
 Responsive to communication(s) filed on <u>09 Marger</u> This action is FINAL. 2b) ☐ This Since this application is in condition for allowant closed in accordance with the practice under Extended 	action is non-final. Ice except for formal matters, pro		merits is			
Disposition of Claims						
4) Claim(s) 1-19 is/are pending in the application. 4a) Of the above claim(s) is/are withdraw 5) Claim(s) is/are allowed. 6) Claim(s) 1-19 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or Application Papers 9) The specification is objected to by the Examiner 10) The drawing(s) filed on is/are: a) access Applicant may not request that any objection to the or Replacement drawing sheet(s) including the correction 11) The oath or declaration is objected to by the Examiner	election requirement. epted or b) objected to by the Edrawing(s) be held in abeyance. See on is required if the drawing(s) is obj	e 37 CFR 1.85(a). ected to. See 37 CF	, ,			
Priority under 35 U.S.C. § 119						
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 						
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 2/20/02,8/12/02.	4) Interview Summary Paper No(s)/Mail Da 5) Notice of Informal Pa	te)-152)			

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DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see Response filed 3/9/06 (page 10, lines 12-24), with respect to the rejection(s) of claim(s) 1-19 under 35 USC §112 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of 35 USC §112.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, lines 13-14, claim 12, lines 17-18 & 22, claim 17, line 8, claim 18, line 8, and claim 19, lines 14-15, the term "the transmitting unit" lacks proper antecedent basis, as it is unclear whether it refers to the previously recited "first transmitting unit" or "second transmitting unit".

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In claim 15, lines 2-3, the term "the class information storing unit" lacks proper antecedent basis in parent claim 11.

In claim 16, line 13, the term "the transmitting unit" lacks proper antecedent basis, as it does not correspond to either the previously recited "first transmitting means" or "second transmitting means".

In claim 17, line 9 and claim 18, line 9, the terms "the class information" and "the class information storing unit" lack proper antecedent basis.

Allowable Subject Matter

4. Claims 1-19, insofar as they are understood, would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

The art of record does not teach or suggest the recited first transmitting unit configured to transmit an electronic mail with an attached image file format defined by an Internet facsimile system, second transmitting unit configured to transmit an electronic mail with an attached image file in a different format, and a selection between the two in accordance with stored class information indicating whether a mail address is in accordance with the first format (as set forth in claims 1, 12, & 16-19, insofar as they are understood).

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Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Iwazaki, Terao, Toyoda, Toyoda et al, and Iwaki disclose examples of Internet facsimile arrangements integrated with electronic mail transmission arrangements.

6. Any inquiry concerning the contents of this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 571-272-7430.

Any inquiry relating to the status of this application or proceeding or any inquiry of a general nature concerning application processing should be directed to the Tech Center 2600 Customer Service center at 571-272-2600 or to the USPTO Contact Center at 800-786-9199 or 703-308-4357.

The examiner can normally be reached on weekdays 7:00-4:30, alternate Fridays off.

The examiner's unit designation has been changed from "Art Unit 2624" to "Technology Division 2625" (as of March 20, 2006).

If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 571-272-7437.

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Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is 571-273-8300 (as of July 15, 2005).

Hand-carried correspondence may be delivered to the Customer Service Window, located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314.

Stephen Brinish
Stephen M Brinish

Examiner

Technology Division 2625

smb May 18, 2006